PART I

TYPES OF LEGISLATION

Discussion under this part relates to the individual types of legislation (bills, resolutions, etc.) by which the will of the Legislature is put into legal effect. The technical form to which such documents must adhere is covered in Part II.

GENERAL LAWS

A general law is the primary method by which the Legislature creates programs, amends existing law, and implements policies for the governing of the state.

Ordinarily, a "general law" is a law which is intended to have statewide application. But there are many laws which relate to less than the whole state and which are still legally "general laws." The Supreme Court of Florida, in an early case, declared that "Every law is general which includes in its provisions all persons or things of the same genus." McConihe v. State, 17 Fla. 238 (1879). It would really not be facetious to say that the most workable definition of a general bill is any bill that is not a special bill. The latter is more readily subject to a true definition. Moreover, it is never necessary to distinguish between a general law and a special law except for the Florida constitutional

requirements relating to the passage of special laws and prohibited special laws. (See discussion under the heading SPECIAL ACTS.)

It is well established that the Legislature may enact a general law on any subject and containing any provision, so long as it is not restricted from doing so by either the Florida or United States Constitution. Some of the restrictions of the Florida Constitution which relate to the form in which laws may be enacted are discussed under Part II.

Sample general bills may be found in Part IV of this manual.

May a bill contain more than one subject?

No. Section 6 of Article III of the Florida Constitution provides in part that:

> Every law shall embrace but one subject and matter properly connected therewith....

In determining whether provisions contained in an act are embraced in one subject and matter properly connected therewith, the subject to be considered is the one expressed in the title of the act. When the subject expressed in the title is restricted, only those provisions that are fairly included in such restricted subject and matter properly connected therewith may legally be incorporated in the body of the act, even though additional provisions may be included in an act having a single broader subject expressed in its title. Ex Parte Knight, 41 So. 786 (Fla. 1906).

Conversely, the "one subject" may be quite broad. The test as to a duplicity of subject is whether or not the provisions of the bill are designed to accomplish separate and disassociated objects of legislative effort. Indeed, so long as the bill embraces a single subject, it may amend any number of sections or even different chapters.

What happens if a bill passes with more than one subject?

Such an act may be challenged in court, and the court may declare the act to be unconstitutional for failure to comply with the Florida Constitution. It is well to remember the historical purpose of the "one-subject" requirement. As stated in Dept. of Education v. Lewis, 416 So.2d 455 (Fla. 1982): "An extensive body of constitutional law teaches that the purpose of Article III, Section 6 is to insure that every proposed enactment is considered with deliberation and on its own merits. A lawmaker must not be placed in the position of having to accept a repugnant provision in order to achieve adoption of a desired one."

"Omnibus" bills, sometimes referred to during the legislative process as "trains" or "packages," often pose problems with respect to adherence to the single-subject requirement of the Constitution. A case which may prove to be at the outer edge is Burch v. State, 558 So.2d 1 (Fla. 1990), in which the Florida Supreme Court by a 4-3 vote upheld Chapter 87-243, Laws of Florida, the "Crime Prevention and Control Act." Despite recognizing that the act may contain "many disparate subtopics," the court, relying on the strong presumption

in favor of the constitutionality of statutes, upheld the act, stating that it "is a comprehensive law in which all of its parts are directed toward meeting the crisis of increased crime." The dissenting opinion noted that while the Legislature has wide latitude in the enactment of acts, "an act in violation of the single-subject provision of the constitution cannot be saved or pass constitutional muster by virtue of the fact that the improvement of the criminal justice system is the general object of the law--it is the subject matter which is our focus." Accordingly, the drafter should proceed with great caution when tempted to combine two or more bills into a package, lest those impacted by the measure be motivated to seek further elucidation from the court.

For a good overview of the single-subject issue, see Franklin v. State 887 So2d.1063 (Fla. 2004).

What is a "general law of local application"?

It is a "general law" which, by its nature, has application only to a portion of the state. Thus, a statute relating to regions of the state or to subjects or to persons or things as a class, based upon proper distinctions and differences that are peculiar or appropriate to the class, is a "general law of local application." Since such a law is not a "local bill," it does not have to be advertised or made subject to a referendum.

Examples of possible bases for classifications would be: all coastal counties, all counties which permit sales of alcoholic beverages by the drink, or

all counties having an elected school superintendent. Other examples would include acts which relate to a particular circuit court, a state university, or to the state capitol building.

A general law of local application may not depend on an arbitrary basis. Section 11(b) of Article III of the Florida Constitution provides in part that:

> In the enactment of general laws... political subdivisions or other governmental entities may be classified only on a basis reasonably related to the subject of the law.

What is a relief act or "claim bill"?

In the larger sense, it is an act by which the Legislature seeks to address the complaint of an aggrieved party. But in practice, nearly every relief act or "claim bill" is legislation which compensates a particular person (or persons) for injuries or losses which were occasioned by the negligence or error of a public officer or agency. It is a means by which an injured party may recover damages even though the public officer or agency involved may be immune from attack by an ordinary lawsuit.

Historically, the state was absolutely immune from liability and, therefore, the objective of a claim bill was to satisfy the "moral obligation of the State...." Dickinson v. Board of Public Instruction of Dade County, 217 So.2d 553, 560 (Fla. 1968).

Under the current statutory framework, there are two types of claim bills. There are those bills which seek to recover excess judgments pursuant to the

waiver of sovereign immunity, s. 768.28, Florida Statutes. In those cases, there has been a trial, and the verdict rendered is in excess of the limitations on liability set forth in s. 768.28, Florida Statutes. The second type of claim bill seeks compensation for persons injured by the state who have no other legal remedy available. Pursuant to s. 11.065, Florida Statutes, a claim bill should be filed within 4 years from the date the claim accrued.

A relief act may also be a local bill, and as such is subject to the "advertising" requirements for special acts. Determining whether a claim bill is a general bill or a special act is a critical distinction which turns on the question of who is going to pay the aggrieved party.

Samples of a general relief act and a local relief act which indicate the key differences between each type may be found in Part IV.

Because claim bills require special master hearings, all requests for drafting of claim bills should be submitted to the House Bill Drafting Service as far in advance of the upcoming legislative session as possible. It should be noted that the Senate has observed an August 1 deadline for the filing of claim bills since the 1999 Legislative Session. Accordingly, it is best to check with the staff of the House Committee on Constitution and Civil Law well in advance of the legislative session to determine whether a deadline for submission of claim bills has been established in the House for the upcoming session. For information regarding other procedural requirements with respect to the introduction of claim bills, the Committee on Constitution and Civil Law produces the Legislative Claim Bill Manual, a comprehensive manual on

policies, procedures, and information concerning the introduction and passage of claim bills.

What are companion bills?

When copies of the same bill are pending in both houses of the Legislature, they are referred to as companion bills. Bills must be substantially worded the same and must be identical as to specific intent and purpose in order to be considered as companions. In theory, if the same bill is introduced in each house, it can be considered in the respective committees of the two houses at the same time and possibly be passed into law at an early date. The rules of each house provide that if such a bill has already passed the other house, it may be substituted on the calendar for its companion and passed directly into law, subject to reading requirements.

PLEASE NOTE--When requesting preparation of a bill that is meant to be a companion, do not submit the same request separately to both the House and Senate drafting services. The result will be two separate drafts that, although they may accomplish the same end, are not stylistically “companions.” Choose one drafting service to prepare the bill, and give that request's identification number to the other drafting service. When the draft is completed and approved, it can be messaged to the other drafting service, and you will have an actual companion.

SPECIAL ACTS

As a general statement, a special act is any legislative act which meets **both** of the following criteria:

1. It applies to an area or group which is less than the total area or population of the state; and

2. Its subject matter is such that those to whom it is applicable are entitled to the publication or referendum required by Section 10 of Article III of the Florida Constitution.

Having said this, it should be noted that it is sometimes difficult to determine whether or not a particular legislative proposal comes within the scope of these two criteria. For a treatment of the subject which is far more extensive than that found herein, see Drafting Local Legislation in Florida, which is also a publication of the House Bill Drafting Service. Also, the staff of the Committee on Urban and Local Affairs regularly distributes material relating to local legislation and procedural requirements.

What are the requirements for "advertising" special acts?

Section 10 of Article III of the Florida Constitution provides in part that:

> No special law shall be passed unless notice of intention to seek enactment thereof has been published in the manner provided by general law.

The exception to this (approval by referendum) is discussed below.

The law which relates to the manner in which such notice is to be published is found in ss. 11.02, 11.021, 11.03, and 11.065(3), Florida Statutes. None of these sections actually describes the form of such notice. However, s. 11.02, Florida Statutes, does state that "Notice of special or local legislation shall state the substance of the contemplated law, as required by s. 10, Art. III of the State Constitution." Publication is required only one time and must occur at least 30 days before introduction of the bill into the Legislature.

It is a common practice to use the title of the proposed bill to "state the substance of the contemplated law." It makes sense that, if the title is sufficient to meet the constitutional requirement relating to titles, it would also suffice to give notice under the constitutional requirement relating to notice. However, it is not necessarily advisable to use the title as the text for the published notice. A broader narrative-type notice often will leave room for amendments after introduction that would otherwise be outside the scope of the original title.

The suggested form of the notice as it would appear in the newspaper is as follows:

NOTICE OF LEGISLATION

TO WHOM IT MAY CONCERN: Notice is hereby given of intent to apply to the 2007 Session of the Florida Legislature for passage of an act relating to Lee County; amending chapter 30931, Laws of Florida, 1955, relating to sales at auction, to except from the licensing requirements persons and firms who have resided or done business in the county for not less than 12 months; providing an effective date.

This example could be stated in a more general manner, thereby allowing flexibility in amending the act after introduction:

NOTICE OF LEGISLATION

> TO WHOM IT MAY CONCERN: Notice is hereby given of intent to apply to the 2007 Session of the Florida Legislature for passage of an act relating to Lee County; amending chapter 30931, Laws of Florida, 1955, relating to sales at auction, to except from the provisions thereof specified persons and firms; providing an effective date.

What is the proper form for a local bill referendum?

There is no required form for a referendum section, but it should provide a statement:

1. That the act is to take effect only upon its approval at an election.

2. That those voting shall be qualified electors.

3. Describing when and by whom the referendum shall be held, whether in conjunction with a special election or a primary election, or at the general election.

4. That in the case of a special election, a time is to be set by the county commission, city commission, or a specified and appropriate local governing body.

5. That the approval of a majority of those voting in the election shall be required for the adoption of the act.

6. That the referendum section itself is to take effect upon becoming a law.

The following are suggested forms which, with appropriate modifications, should be sufficient to meet the constitutional requirements for most local bill referendum sections:

1. <u>For a special election</u>

> Section __. This act shall take effect only upon its approval by a majority vote of those qualified electors of (the governmental unit of the area affected) voting in a referendum election to be called by the (appropriate governing body) and to be held on (or prior to) (date), in accordance with the provisions of law relating to elections currently in force, except that this section shall take effect upon becoming a law.

2. <u>For a regular election</u>

> Section __. This act shall take effect only upon its approval by a majority vote of those qualified electors of (the governmental unit of the area affected) voting in a referendum to be held by the (appropriate governing body) in conjunction with the next regular primary or general election, in accordance with the provisions of law relating to elections currently in force, except that this section shall take effect upon becoming a law.

JOINT RESOLUTIONS

The joint resolution is the only authorized method by which the Legislature may propose amendments to the Florida Constitution. Section 1 of Article XI of the Florida Constitution provides in part that:

> Amendment of a section or revision of one or more articles, or the whole, of this constitution may be proposed by joint resolution agreed to by three-fifths of the membership of each house of the legislature.

The primary difference between a bill and a joint resolution (or any other kind of resolution for that matter) is that a resolution does not require executive approval and cannot be vetoed by the Governor.

The proposed amendment of sections of the Florida Constitution is not covered by the requirement of Section 6 of Article III that the "revised or amended act, section, subsection or paragraph of a subsection" be set out in full. However, the House Bill Drafting Service, following lengthy discussions with members of the revision commission responsible for the 1968 revised Constitution, adopted a policy requiring that the entire section of the Constitution be set forth in a joint resolution, even though amendment to only a portion of the section is being proposed.

Section 101.161, Florida Statutes, requires that the substance of a constitutional amendment proposed by joint resolution “shall be printed in clear and unambiguous language on the ballot,” and the wording of the substance of the amendment and the ballot title “shall be embodied in the joint resolution....”

The importance of this requirement became glaringly apparent in October 1982 when the Florida Supreme Court ordered that a proposed constitutional amendment be removed from the ballot for failure to meet the requirements of s. 101.161, Florida Statutes. The ballot statement of SJR 1035 (1982) was held to be misleading in that it failed to fully disclose the primary impact of the amendment.

A sample joint resolution proposing an amendment to the Florida Constitution may be found in Part IV.

In addition to proposing amendments to the Florida Constitution, joint resolutions are occasionally used for other special purposes specifically provided for by the Constitution, such as legislative apportionment.

How does a constitutional amendment proposed by joint resolution actually become part of the Florida Constitution?

Section 5(a) of Article XI of the Florida Constitution provides in part that:

> A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the electors at the next general election held more than ninety days after the joint resolution...proposing it is filed with the custodian of state records....

If the Legislature desires to place the proposed amendment before the electors prior to the next general election, Section 5(a) further provides that:

> ...pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it...[may be]

> submitted at an earlier special election held more than ninety days after such filing.

You will notice that if a special election is desired, a separate bill must be enacted by a three-fourths vote. The House Bill Drafting Service will assist you in the preparation of such a bill, if the need should ever arise.

When does a constitutional amendment take effect?

Section 5(e) of Article XI of the Florida Constitution provides that:

> Unless otherwise specifically provided for elsewhere in this constitution, if the proposed amendment or revision is approved by vote of at least sixty percent of the electors voting on the measure, it shall be effective as an amendment to or revision of the constitution of the state on the first Tuesday after the first Monday in January following the election, or on such other date as may be specified in the amendment or revision.

If it is desired to have the amendment take effect on an "other date," this may be accomplished in several ways. Since the Constitution requires that the "other date" be "specified in the amendment," the House has followed the practice of accomplishing this by creation of a new section in Article XII, the schedule. (See Sections 16, 18, 19, 20, 21, and 22 of Article XII for examples.) The Florida Senate prefers to include the "other date" in the amendatory phrase of the joint resolution, but such a placement is not technically "in the amendment." It is also permissible to include the "other date" in the text of the amendment itself, but

then it will clutter up the Constitution indefinitely. When placed in the schedule, these provisions can be later removed as obsolete by simple adoption of a joint resolution, requiring no vote of the electors, under the provisions of Section 11 of Article XII.

SIMPLE RESOLUTIONS

A simple resolution (formally styled as a "House Resolution" or "Senate Resolution") is used by a single house of the Legislature to address the internal affairs of that body only or to make a formal statement with regard to a particular matter which is of interest to it. The effect of its adoption does not go beyond the bounds and the authority of the single house which acts upon it, and it is not subject to veto by the Governor.

Simple resolutions are commonly used to:

1. Regulate practice, procedure, and conduct of the House.
2. Create special committees.
3. Express an opinion or request to the other house of the Legislature.
4. Recognize the service or achievements of a particular individual or group.
5. Commemorate a special occasion or event.
6. Express sorrow over the death of a member of the Legislature or some other person.

Simple resolutions of the type listed in examples 4, 5, and 6, commonly known as “ceremonial” resolutions, are often composed in advance and then submitted to the House Bill Drafting Service, a practice which the House Bill Drafting Service encourages. Along with any rough draft of the resolution, any necessary background information needed to prepare the resolution and substantiate the facts contained therein should be submitted.

When preparing a draft ceremonial resolution, the requester should be aware that, prior to introduction, the Chair of the Rules and Calendar Council reviews all House Resolutions for accuracy and appropriateness of content. A ceremonial resolution must be approved by the Chair of the Rules and Calendar Council before introduction. A ceremonial resolution will usually be adopted by publication in full in the House Journal unless an objection is filed in accordance with House Rule. No ceremonial resolution found to be inaccurate or inappropriate by the Chair of the Rules and Calendar Council will be approved. With this in mind, those preparing working drafts of ceremonial resolutions should be careful to avoid any inflated or exaggerated claims or statistics and any statements that are untrue, misleading, or of a partisan political nature, or that could be construed as a business or commercial advertisement.

Any matter commemorating a <u>local</u> achievement, condolences, or recognition should be treated as a Tribute from the individual member rather than a House Resolution. (For more information on Tributes, see the section on **TRIBUTES** directly following the discussion of Resolutions).

Upon completion of a draft ceremonial resolution by the House Bill Drafting Service, it is the responsibility of the requester to immediately provide a copy of the completed resolution, along with all information and documentation supporting and verifying every factual statement contained in the resolution, to the House Rules and Calendar Council to facilitate their review of the resolution. The council typically requires a week to complete its review. You should not rely on the House Bill Drafting Service to transmit supporting background information to the council, nor should you place the council in the position of needing to retrieve the information from the House Bill Drafting Service. Doing so only results in unnecessary delay of the council's review and approval process and may possibly prevent your resolution from being heard in the House.

A resolution to be presented to the subject in a ceremony before the House should not exceed 250 words in length. This is so that the entire text of the resolution can be made to fit on a single page suitable for presentation and framing.

An example of a simple resolution may be found in Part IV.

HOUSE TRIBUTES

A tribute, similar in style to a resolution, should be used for the purpose of commemorating a local achievement or expressing condolences or recognition of a local nature. Tributes are not presented as having been acted on by the House of Representatives but are conferred solely by the action of the Member

requesting and signing the tribute.

In the past, the preparation of tributes was restricted to the interim period. Now, tributes may be produced at any time of the year, including during regular and special sessions, with one exception: **during an election year, tributes may not be prepared during the interim period between the qualifying deadline to run for election to the House of Representatives and the subsequent Organization Session of the House, *unless the Member is unopposed in his or her bid for reelection*.**

Members are encouraged to provide the House Bill Drafting Service with completed drafts of tributes they are requesting. However, if drafting assistance is needed, a request, with all pertinent information, should be submitted to House Bill Drafting. Requests for tributes must be made well in advance of the date on which the tribute is needed. During a legislative session, a minimum of 15 days is required for the preparation of a tribute once the request is received by House Bill Drafting. When the Legislature is not in session, a tribute may be produced within 10 days of receipt of the request. The text of a tribute may not exceed one page, including the line bearing the Member's signature and the line specifying the district number of the Member. Tributes are limited to 10 per Member during each year of a Member's two-year term.

Inasmuch as a tribute appears under the Official Seal of the House of Representatives, House Bill Drafting reserves the right to revise proposed tribute text if the information contained therein is excessive, inappropriate, or political in nature.

An example of a House Tribute may be found in Part IV.

CONCURRENT RESOLUTIONS

In the past, concurrent resolutions were generally used to accomplish the same purposes in relation to the entire Legislature that a simple resolution accomplishes for either the House or Senate alone. House Rules limit the use of concurrent resolutions to "questions pertaining to extension of a session, enactment of joint rules, ratification of federal constitutional amendments, communications with the judiciary, actions taken pursuant to federal law not requiring gubernatorial approval, or other exclusively legislative matters." In addition, there are three purposes, specifically mentioned by the Florida Constitution, for which concurrent resolutions may occasionally be used. (See ss. 2 and 3(e), Art. III and s. 20(i), Art. V.)

Either house may initiate a concurrent resolution to be concurred in by the other house. It is not subject to veto by the Governor.

Possible examples of the "other exclusively legislative matters" cited in House Rules might include the following purposes:

1. Creating joint interim legislative committees.

2. Notifying the Governor of the time of adjournment sine die.

3. Approving joint sessions of the houses.

4. Receiving the Governor's message or the message of some other distinguished guest.

5. Requesting the return of a bill from the Governor's desk.

6. Expressing an opinion to, or urge that action be taken by, an officer or agency of another state.

An example of a concurrent resolution may be found in Part IV.

MEMORIALS

A memorial is really nothing more than a "resolution" expressing the opinion of the Legislature to the Federal Government. A memorial is in the nature of a petition requesting action or expressing an opinion or a desire respecting a matter which is within the jurisdiction of the Federal Government. It may be initiated by either the House or the Senate and is adopted by both houses. Perhaps the most common purpose is to urge the Congress to pass a particular piece of federal legislation that is currently pending, but it is also commonly used to urge the Congress to take appropriate action or provide a legislative solution with regard to an issue of national significance. A memorial may also be used to petition the President or a federal agency.

A memorial is not subject to veto by the Governor and upon its passage is sent directly to the specified congressional officials.

There is no such thing as a "one house" memorial. House Rules provide that memorials contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:" which requires passage by both houses of the Legislature.

A sample memorial may be found in Part IV.

AMENDMENTS

Every type of legislation, whether it be a bill, resolution, or memorial, is subject to being amended in committee or council and on the floor of either house prior to final passage. This is accomplished by a formal procedure through which additions or modifications to the text are proposed and adopted during debate. When adopted, an amendment becomes a part of the proposed legislation the same as if it had appeared in the original text as introduced. Extreme care must be exercised in the preparation of amendments.

Detailed instructions for preparation of amendments and sample amendments may be found in Part V

What is a title amendment?

A title amendment is an amendment to the title of a bill. In legal effect, it is no different from an ordinary amendment to the body of a bill. Its purpose is to conform the description of the bill contained in the title to substantive changes that have been made by amendment to the body of the bill. Though normally a component of a substantive amendment to the text of a bill, a title amendment can sometimes be a separate amendment. This occurs most commonly when a title amendment to a bill has been inadvertently omitted from a substantive amendment or when a defect is discovered in the title to a bill.

What is a directory amendment?

Often an amendment adds or removes statute text from a section of a bill, consequently necessitating a change in the “directory” of the bill. (See the sample bill at the end of this part. The directory is located on lines 8 and 9 of the bill.) Beginning with the 1998 legislative session, House amendments allowed for a “directory amendment” as an optional third component of an amendment. The directory amendment component of a House amendment is located after the text amendment and before the title amendment. Great care should always be taken in preparing any amendment to ascertain whether the amendment necessitates a directory change, since a discrepancy between the directory language of a section of a bill and the statute text it represents can result in the inadvertent repeal of statute material.

As with title amendments, a directory amendment is normally a component of a substantive amendment, but can sometimes be a separate amendment, as in a case when a directory amendment has been mistakenly omitted from a substantive amendment or when a defect is discovered in the directory of a section of a bill.

What is a ballot statement amendment?

At the end of each joint resolution, in accordance with the requirements of s. 101.161, Florida Statutes, is a provision referred to as the ballot statement.

The ballot statement is the provision that will appear on the ballot at the election at which the electors will vote on the constitutional amendment proposed by the joint resolution. The ballot statement consists of two components, the ballot title, a caption by which the measure is commonly referred to or spoken of, and the substance of the amendment, an explanatory statement of the chief purpose of the amendment. When an amendment to a joint resolution adds text to or removes text from the body of the joint resolution that results in a substantive change to the proposed constitutional amendment, the ballot title and summary at the end of the joint resolution must be amended to reflect that change. The ballot statement amendment portion of a joint resolution amendment is a means by which changes can be made to the ballot statement at the end of a joint resolution that correspond to changes made by amendment to the text at the front of the joint resolution without having to prepare a lengthy strike-all amendment. The ballot statement amendment component of a House amendment to a joint resolution is located after the text amendment and before the title amendment.

COUNCIL SUBSTITUTE [HOUSE]
COMMITTEE SUBSTITUTE [SENATE]

A council substitute is a bill that a House council has substituted for a House bill that the council has amended or combined with one or more other House bills in its possession. Under current House rules a council may only report a House bill unfavorably, favorably, or favorably with a council substitute.

Therefore, if a council adopts any amendment to a House bill, the council must report the bill favorably with council substitute. In addition, a council may introduce a council substitute that embraces the same general subject matter of one or more bills in the council's possession. Upon the reporting of a council substitute, the original bill or bills are then laid on the table.

In instances in which a council introduces a council substitute *for an existing council substitute*, the earlier council substitute is laid on the table upon the adoption of the council substitute by the later council of reference.

A committee within a council may recommend, but may not introduce, a council substitute.

With respect to a Senate bill, a House council may report a Senate bill unfavorably, favorably, or favorably with one or more amendments. Due to the fact that only the Senate may file and introduce bills in the Senate, a council substitute may not be offered to a Senate bill. If a council wishes to achieve the equivalent of a substitute measure for a Senate bill, it may report the bill favorably with a stike-all amendment that sets forth the proposed new language for the bill and its title.

Because the organization of the Senate does not include councils, a substitute measure in the Senate is referred to as a committee substitute and is a separately filed and introduced bill being substituted for an amended Senate bill or for one or more Senate bills being combined into a single proposal.

PARTS OF A BILL

FLORIDA HOUSE OF REPRESENTATIVES

BILL ORIGINAL YEAR

TITLE

ENACTING CLAUSE

DIRECTORY (LINES 8-9)

BODY*

EFFECTIVE DATE

REQUEST NUMBER

A bill to be entitled

An act relating to state uniform traffic control; amending s. 316.1895, F.S.; revising requirements relating to school speed zone limits; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (5) of section 316.1895, Florida Statutes, is amended to read:

316.1895 Establishment of school speed zones, enforcement; designation.--

(5) A school zone speed limit may not be more than 20 miles per hour nor less than 15 miles per hour ~~except by local regulation~~. No school zone speed limit shall be more than 20 miles per hour in an urbanized area, as defined in s. 334.03. Such speed limit shall be clearly stated on the proper devices pursuant to Department of Transportation specifications and requirements and may be in force only during those times 30 minutes before, during, and 30 minutes after the periods of time when pupils are arriving at a regularly scheduled breakfast program or a regularly scheduled school session and leaving a regularly scheduled school session.

Section 2. This act shall take effect October 1, 2005.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

***Reference to the "body" of a bill is generally understood to mean all material following the enacting clause, including all directory language and the effective date.**